HAWAII STATE HOUSE OF REPRESENTATIVES

REGULAR SESSION OF 2012

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

FIFTY-SIXTH DAY APRIL 25, 2012

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The **Mini Journal** is produced for each legislative day and shows all action which took place on the Chamber Floor, including all bills and resolutions introduced, referrals, readings, all motions and votes, and Governor's Messages and other Communications. The Mini Journal does not include verbatim floor remarks or announcements made.

The Mini Journal is generally available the next legislative day following each day's session and may be obtained at the House Printshop.

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FIFTY-SIXTH DAY

Wednesday, April 25, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:40 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Rida T.R. Cabanilla, after which the Roll was called showing all Members present with the exception of Representative Oshiro, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Fifth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1158 through 1173) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1158, dated April 24, 2012, returning the following bill to the Senate for proper consideration, pursuant to S.C.R. No. 176:

S.B. No. 650, HD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES."

Gov. Msg. No. 1159, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2758, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION." (ACT 058)

Gov. Msg. No. 1160, informing the House that on April 24, 2012, the following bill was signed into law:

H.B. No. 1772, entitled: "A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY." (ACT 059)

Gov. Msg. No. 1161, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2803, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACT PROPOSALS FOR CHILD CARE." (ACT 060)

Gov. Msg. No. 1162, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2772, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM." (ACT 061)

Gov. Msg. No. 1163, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2796, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS." (ACT 062)

Gov. Msg. No. 1164, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2774, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PUBLICATIONS." (ACT 063)

Gov. Msg. No. 1165, informing the House that on April 24, 2012, the following bill was signed into law:

H.B. No. 1874, entitled: "A BILL FOR AN ACT RELATING TO VOG." (ACT 064)

Gov. Msg. No. 1166, informing the House that on April 24, 2012, the following bill was signed into law:

H.B. No. 2410, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MILITARY." (ACT 065)

Gov. Msg. No. 1167, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2768, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 066)

Gov. Msg. No. 1168, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2224, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD." (ACT 067)

Gov. Msg. No. 1169, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2588, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS." (ACT 068)

Gov. Msg. No. 1170, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2877, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS FIREBOAT." (ACT 069)

Gov. Msg. No. 1171, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2872, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT." (ACT 070)

Gov. Msg. No. 1172, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2698, SD 1, HD I, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL." (ACT 071)

Gov. Msg. No. 1173, informing the House that on April 24, 2012, the following bill was signed into law:

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S.B. No. 2751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 072)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 798 through 801) were received and announced by the Clerk:

Sen. Com. No. 798, dated April 24, 2012, informing the House that the Senate has on April 23, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 2534, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES."

S.B. No. 2630, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE."

Sen. Com. No. 799, dated April 24, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1269 Hee, Chair; Shimabukuro/Ige, Co-Chairs; Slom SD 2, HD 2

Sen. Com. No. 800, dated April 24, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2175 Hee, Chair; Shimabukuro/Gabbard, Co-Chairs; HD 2, SD 1 Ihara

Sen. Com. No. 801, dated April 24, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 1706, Senate Conferees discharged. HD 1, SD 1

H.B. No. 2417, Senator Kouchi added as conferee. HD 2, SD 2

INTRODUCTIONS

The following introductions were made to the Members of the House:

REMARKS DELIVERED: Rep. Choy Rep. Takai

ORDER OF THE DAY

UNFINISHED BUSINESS

H.B. No. 2491, HD 1, SD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 27-12 and H.B. No. 2595, HD 2, SD 2, CD 1:

REMARKS DELIVERED: Vice Speaker Manahan

By unanimous consent, action was deferred to May 1, 2012.

REPORTS OF STANDING COMMITTEES

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1807-12), recommending that S.C.R. No. 140, SD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 140, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED:

Rep. Rhoads Rep. Ward

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 140, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION TO DETERMINE COST-EFFECTIVE AND REVENUE-GENERATING RIDERSHIP LEVELS FOR THE RAIL TRANSIT SYSTEM," was referred to the Committee on Finance, with Representative Oshiro being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1808-12), recommending that S.C.R. No. 111, SD 1, be referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 111, SD 1, be referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

REMARKS DELIVERED:

Rep. Marumoto Rep. Thielen Rep. Evans Vice Speaker Manahan

Vice Speaker Manaha Rep. Cabanilla

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 111, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO PRESERVE EXISTING AFFORDABLE HOUSING AND CREATE NEW AFFORDABLE HOUSING OPPORTUNITIES, FAMILY-ORIENTED SUPPORT SERVICES, HEALTH CENTERS, COMMUNITY CENTERS, RETAIL SERVICES RELATED TO HEALTHY LIVING, AND COMMUNITY GARDENS WITHIN TRANSIT-ORIENTED DEVELOPMENT ZONES ALONG THE HONOLULU RAIL TRANSIT PROJECT CORRIDOR," was referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, with Representative Oshiro being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1809-12), recommending that S.C.R. No. 156, SD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 156, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CREATION OF AN EXPLORATORY COMMITTEE TO CONSIDER THE ESTABLISHMENT OF AN INTERNATIONAL AVIATION TRAINING CENTER AT THE HILO INTERNATIONAL ARPORT AND AN ADVANCED AVIATION DEGREE TRAINING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Finance, with Representative Oshiro being excused.

REPORTS OF CONFERENCE COMMITTEES

Representatives Rhoads, Yamane and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2748, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 7-12) recommending that S.B. No. 2748, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7-12 and S.B. No. 2748, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representative Oshiro was excused.)

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans:

H.B. No. 46, HD 2, (SD 2) H.B. No. 468, HD 1, (SD 2) H.B. No. 1777, HD 1, (SD 1)

At 11:55 o'clock a.m. Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

At this time, Representative Chong withdrew his motion, and Representative Evans withdrew her second.

REMARKS DELIVERED:

Vice Speaker Manahan

H.B. No. 468, HD 1, SD 2:

By unanimous consent, action was deferred one legislative day.

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representative Oshiro was excused.)

H.B. No. 46, HD 2, (SD 2) H.B. No. 1777, HD 1, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 1777, HD 1, SD 1, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measure to the Floor for final disposition.

H.B. No. 46, HD 2, SD 2:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 46, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Final Reading by a vote of 50 ayes, with Representative Oshiro being excused.

H.B. No. 1777, HD 1, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1777, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Keith-Agaran, M. Lee, Tsuji and Fontaine). Noes, none. Excused, none.

Representative Chong moved that H.B. No. 1777, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED:

Rep. Pine

TO BE INSERTED:

Rep. Pine

(Submit by Monday, April 30)

The motion was put to vote by the Chair and carried, and H.B. No. 1777, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS," passed Final Reading by a vote of 50 ayes, with Representative Oshiro being excused.

At 12:24 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 46, HD 2, SD 2 H.B. No. 1777, HD 1, SD 1

SUSPENSION OF RULES

REMARKS DELIVERED:

Vice Speaker Manahan

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representative Oshiro was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representative Oshiro was excused.)

H.B. No. 1181, HD 1, (SD 1) H.B. No. 1765, HD 2, (SD 1) H.B. No. 2179, (SD 1) H.B. No. 2605, HD 1, (SD 1) H.B. No. 2682, HD 1, (SD 1)

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Chong moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans and carried: (Representative Oshiro was excused.)

H.C.R. No. 9, (SD 1) H.C.R. No. 58, HD 1, (SD 1) H.C.R. No. 118, HD 1, (SD 1) H.C.R. No. 169, HD 1, (SD 1) H.C.R. No. 177, HD 2, (SD 1)

H.C.R. No. 9, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 9, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was Adopted, with Representative Oshiro being excused.

H.C.R. No. 58, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 58, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO DIRECT ELECTRIC UTILITIES TO EXAMINE SPECIFIC RENEWABLE ENERGY STRATEGIES IN THE

INTEGRATED RESOURCE PLANNING PROCESS," was Adopted, with Representative Oshiro being excused.

H.C.R. No. 118, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 118, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF REGULATIONS FOR ZIPLINES AND CANOPY TOURS," was Adopted, with Representative Oshiro being excused.

H.C.R. No. 169, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 169, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF KOREATOWN AND DEVELOPMENT OF A MASTER PLAN FOR THE DEVELOPMENT OF A KOREATOWN," was Adopted, with Representative Oshiro being excused.

H.C.R. No. 177, HD 2, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 177, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON REQUIRING INSURANCE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was Adopted, with Representative Oshiro being excused.

ANNOUNCEMENTS

REMARKS DELIVERED:

Rep. Herkes Rep. Ching

Vice Speaker Manahan

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

S.C.R.

No.

Re-referred to:

36, SD2 Jointly to the Committee on Higher Education and the Committee on Economic Revitalization & Business, then to the Committee on Finance

ADJOURNMENT

At 12:31 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Thursday, April 26, 2012. (Representative Oshiro was excused.)

HOUSE COMMUNICATIONS

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2819, Har/Oshiro, Co-Chrs.; HD 1, SD 1 Ito, Riviere

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day

appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 1705, Oshiro, Chr.; HD 1, SD 1 Choy, Evans, Ward

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2668 Tsuji/Oshiro, Co-Chrs.; Choy, Riviere

H.B. No. 2869, Choy/Oshiro, Co-Chrs.;

Marumoto

HD 2, SD 2

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2262, Coffman/Tsuji/Kawakami, Co-Chrs.; HD 2, SD 2 Choy, Hashem, Thielen

H.B. No. 2328, Choy, Chr.;
HD 1, SD 1 Giugni, Ichiyama, Ward

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 3, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2605, HD 1, SD 1

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 1181, HD 1, SD 1 H.B. No. 1765, HD 2, SD 1 H.B. No. 2179, SD 1 H.B. No. 2682, HD 1, SD 1

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 46, HD 2, SD 2 H.B. No. 1777, HD 1, SD 1

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolutions:

H.C.R. No. 9, SD 1 H.C.R. No. 58, HD 1, SD 1 H.C.R. No. 118, HD 1, SD 1 H.C.R. No. 169, HD 1, SD 1 H.C.R. No. 177, HD 2, SD 1